

**DEPARTMENT OF TRANSPORTATION
DBE PROGRAM- 49 CFR PART 26
SPRINGFIELD REDEVELOPMENT AUTHORITY
FY2012- 2014-DBE PROGRAM**

Policy Statement

Section 26.1 and 26.23

Objectives/Policy Statement

The Springfield Redevelopment Authority (SRA) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The SRA anticipates receiving Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the SRA will sign an assurance that it will comply with 49 CFR Part 26.

It is the policy of the SRA to ensure that DBEs, as defined in part 26, and have an equal opportunity to receive and participate in DOT-assisted contracts. It is also SRA's policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Amanda Goncalves, has been delegated as the DBE Liaison Officer (DBELO). In this capacity, the DBELO is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the SRA in its financial assistance agreements with the DOT.

The SRA has disseminated this policy statement to its Governing Board and all of the components of its organization. The SRA has distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts, through legal notices published in a local newspaper and through the SRA's website.



(Signature of SRA Chairman)

Date: _____

6/4/12

SUBPART A- GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are found in the policy statement of the Objectives/Policy section 26.1 and 26.23 of this DBE program.

Section 26.3 Applicability

The SRA as potential recipient of federal transit funds authorized by Titles I, II, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178.

Section 26.5 Definitions

The SRA will adopt the definitions below, as contained in Section 26.5 of 49 CFR.

Affiliation - has the same meaning the term has in the Small Business Administration (SBA) regulations, 13 CFR part 121.

1. Except as otherwise provided in 13 CFR part 121, concerns are affiliates of each other when, either directly and indirectly:
 - a. One concern controls or has the power to control the other; or
 - b. A third party or parties controls or has the power to control both; or
 - c. An identity of interest between or among parties exists such that affiliation may be found.
2. In determining whether affiliation exists, it is necessary to consider all appropriate factors, including common ownership, common management, and contractual relationships. Affiliates must be considered together in determining whether a concern meets small business size criteria and the statutory cap on the participation of firms in the DBE program.

Alaska Native - means a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian (including Tsimshian Indians not enrolled in the Metlaktla Indian Community), Eskimo, or Aleut blood, or a combination of those bloodlines. The term includes, in the absence of proof of a minimum blood quantum, any citizen whom a Native village or Native group regards as an Alaska Native if their father or mother is regarded as an Alaska Native.

Compliance - means that a recipient has correctly implemented the requirements of this part.

Contract - means a legally binding relationship obligating a seller to furnish supplies or services (including, but not limited to, construction and professional services) and the buyer to pay for them. For purposes of this part, a lease is considered to be a contract.

Contractor - means one who participates, through a contract or subcontract (at any tier), in a DOT-assisted highway, transit, or airport program.

Department or DOT - means the U.S Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).

Disadvantaged business enterprise or DBE means a for-profit small business concern—

1. That is at least 50 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and
2. Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

DOT-assisted contract - means any contract between a recipient and a contractor (at any tier) funded in whole or in part with DOT financial assistance, including letters of credit or loan guarantees, except a contract solely for the purchase of land.

Good faith efforts - means efforts to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

Home State- means the state in which a DBE firm or applicant for DBE certification maintains its principal place of business.

Immediate family member - means father, mother, husband, wife, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, mother-in-law, or father-in-law.

Indian tribe - means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaskan Native Corporation (ANC), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of “tribally-owned concern” in this section.

Joint venture - means an association of a DBE firm and one or more other firms to carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

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Massachusetts Unified Certification Program (UCP) – means the Massachusetts Supplier Diversity Office certification process for organizations as a Disadvantage Business Enterprise (DBE) in conjunction with DOT funded projects and contracts.

NAICS Code – means the classification system for established business for purposes of collecting, analyzing, and publishing statistical data related to U.S Business Economy (North American Industrial Classification System)

Native Hawaiian - means any individual whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

Native Hawaiian Organization - means any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii, is controlled by Native Hawaiians, and whose business activities will principally benefit such Native Hawaiians.

Noncompliance - means that a recipient has not correctly implemented the requirements of this part.

Operating Administration or OA - means any of the following parts of DOT: the Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The “Administrator” of an operating administration includes his or her designees.

Personal net worth - means the net value of the assets of an individual remaining after total liabilities are deducted. An individual’s personal net worth does not include: The individual’s ownership interest in an applicant or participating DBE firm; or the individual’s equity in his or her primary place of residence. An individual’s personal net worth includes only his or her own share of assets held jointly or as community property with the individual’s spouse.

Primary industry classification - means the four-digit Standard Industrial Classification (SIC) code designation which best describes the primary business of a firm. The SIC code designations are described in the Standard Industry Classification Manual. As the NAICS replaces the SIC system, references to SIC codes and the SIC Manual are deemed to refer to the NAICS manual and applicable codes. The SIC Manual and the NAICS Manual are available through the National Technical Information Service (NTIS) of the U.S Department of Commerce (Springfield, VA, 22261). NTIS also makes materials available through its web site (www.ntis.gov/naics).

Primary recipient - means a recipient which receives DOT-financial assistance and passes some or all of it on to another recipient.

Principal place of business - means the business location where the individuals who manage the firm’s day-to-day operations spend most working hours and where top management’s business

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records are kept. If the offices from which management is directed and where business records are kept are in different locations, the recipient will determine the principal place of business for DBE program purposes.

Program - means any undertaking on a recipient's part to use DOT financial assistance, authorized by the laws to which this part applies.

Race-conscious - measure or program is one that is focused specifically on assisting only DBEs, including women-owned DBEs.

Race-neutral - measure or program is one that is, or can be, used to assist all small businesses. For the purposes of this part, race-neutral includes gender-neutrality.

Recipient - is any entity, public or private, to which DOT financial assistance is extended, whether directly or through another recipient, through the programs of the FAA, FHWA, or FTA, or who has applied for such assistance.

Secretary - means the Secretary of Transportation or his/her designee.

Set-aside - means a contracting practice restricting eligibility for the competitive award of a contract solely to DBE firms.

Small Business Administration or SBA - means the United States Small Business Administration.

Small business - concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR Part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b).

Socially and economically disadvantaged individual - means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is--

1. Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.
2. Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
 - a. "Black Americans" which includes persons having origins in any of the Black racial groups of Africa;
 - b. "Hispanic Americans" which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
 - c. "Native Americans" which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;

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- d. "Asian-Pacific Americans" which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S Trust Territories of the Pacific Islands (Republic of Palau), the Juvalu, Nauru, Federated States of Micronesia, or Hong Kong;
- e. "Subcontinent Asian Americans" which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;
- f. Women;
- g. Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

Tribally-owned concern = means any concern at least 51 percent owned by an Indian tribe as defined in this section.

Unless provided herein, no other definitions will apply. In the event such definitions in 49 CFR Part 26.5 is revised or amended, such changes will be incorporated hereto.

Section 26.7 Non-discrimination Requirements

The SRA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR part 26 on the basis or race, color, sex, or national origin.

In administering its DBE program, the SRA will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Reporting to DOT 26.11(b)

The SRA will report DBE participation to DOT as follows:

The SRA will complete the DOT Form 4630- Report of DBE Goal Accomplishments (annually) and the Uniform Report of DBE Awards or Commitments and Payments (semi-annually- June 1st & December 1st) to record the award and commitments made to DBEs. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

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Bidders List: 26.11(c)

The SRA will create a bidders list consisting of information it collects on DBE and non-DBE firms. The purpose of this DOT requirement is to allow use of a bidder's list approach to assist in the calculation of SRA's overall DBE goals. The bidders list will include information from available sources such as the Supplier Diversity Office and SRA procurements and will include: name, address, status as a DBE and non-DBE, age of firm and annual gross receipts (as available).

Since the SRA is a first time recipient of DOT funds, SRA's efforts will be to begin enhancing the future plans and integrity of this program, under the DBE rulings. Please see Attachment 2: DBE Directory: Form- Bidder's Registration Form for the internal documentation used to begin and maintain SRA's bidders list.

Section 26.13 Federal Financial Assistance Agreement

The SRA has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a)

The SRA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assist. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the SRA of its failure to carry out its approved program, the Department may impose sanction as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13b

The SRA will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or sub contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these

requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

SUBPART B- ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Since the SRA anticipates receiving grants of \$250,000 or more in FTA financial assistance in a federal fiscal year, it will continue to carry out this program until all funds from DOT financial assistance have been expended. The SRA will provide to DOT updates representing significant changes in the program.

Section 26.23 Policy Statement

The Policy Statement is elaborated on the first page of this program; it explains the Springfield Redevelopment Authorities objectives and outlines responsibilities for implementation. The statement is circulated throughout the organization, city, and DBE and non-DBE businesses in the community.

Section 26.25 DBE Liaison Officer (DBELO)

The SRA has designated the following individual as the DBE Liaison Officer (DBELO):

Amanda Goncalves
70 Tapley Street
Springfield, MA 01104
(413) 787-7663
agoncalves@springfieldcityhall.com

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the SRA complies with all provision of 49 CFR part 26. The DBELO has direct, independent access to the SRA Administrator and the SRA Executive Officer concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 1 of this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has adequate staff to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.

2. Reviews third party contracts and purchase requisition for compliance with this program.
3. Works to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contacts and procurements so that DBE goals are included in solicitations
6. Analyzes the SRA's progress toward attainment and identifies ways to improve process.
7. Participates in pre-bid meetings.
8. Advises the SRA Governing Board on DBE matters and achievements
9. Oversees all DBE matters
10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.
12. Provides outreach to DBEs and community organizations to advise them on opportunities.
13. Maintains the SRA's updated directory on certified DBEs
14. Coordinate with local agencies in the efforts to increase certified firms in the region.

Section 26.27 DBE Financial Institutions

It is the policy of the SRA to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage its prime contractors on DOT-assisted contract to make use of these institutions.

The SRA will maintain a listing of Minority Bank Deposit participants and minority members doing business in MA, provided by the Bureau of the United States Department of Treasury (www.fms.treas.gov).

Section 26.29 Prompt Payment Mechanisms

The SRA will include the following clause in each DOT-assisted prime contract:

The SRA requires prime contractor to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 14 from the receipt of each payment the prime contract received from the SRA. The prime contractor must agree to return retainage payments to each subcontractor within 14 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the SRA. This clause applies to both DBE and non-DBE subcontracts.

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Section 26.31 Directory

The SRA utilizes the Massachusetts UCP unified DBE directory identifying all firms eligible to participate as DBEs. This list is available for use by prospective contractors in identifying DBEs with skills particular to their contracting and business needs. Interested persons may obtain a copy of this Directory by contacting the DBELO at agoncalves@springfieldcityhall.com.

SRA's DBE directory consists of the below information and will be updated on a semi-annual basis:

1. Company Name
2. NAICS Code of Company
3. Name of DBE
4. Address
5. Work/Fax Number
6. Email Address
7. DBE Status

The MA UCP DBE Directory is updated on a daily basis and can also be a reference point for prospective contractors. (www.somwba.state.ma.us/BusinessDirectory/BusinessDirectory.aspx)

Section 26.33 Overconcentration

SRA has not identified that overconcentration exists in the types of work that DBEs perform.

Section 26.35 & 26.37 Monitoring and Enforcement Mechanisms

The SRA will undertake the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. The SRA will bring to the attention of the DOT any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecutions, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.
2. The SRA will consider similar action under legal authorities and debarment or responsibility determination in future contracts.
3. The SRA will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by SRA and Union Station project staff and will accompany the close out files. See Attachment 3 for more information.
4. The SRA will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

Section 26.39 Fostering small business participation

The DBE program regulations that became effective on February 28, 2011, require that the recipient's DBE program include an element to structure contracting requirements to facilitate competition by small business concerns and take all reasonable steps to eliminate obstacles to the participation of small business concerns in procurements as prime contractors or subcontractors.

Fostering Small Business Participation may include, but is not limited to the following strategies:

1. Establish a race-neutral small business outreach for prime contracts under a stated amount (e.g., \$1 million).
2. In multi-year design-build contracts or other large contracts requiring bidders on the prime contract to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform.
3. On prime contracts not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work included.
4. Identifying alternative acquisition strategies and structuring procurements to facilitate the ability to consortia or join ventures consisting of small businesses, including DBE's, to compete for and perform prime contracts.
5. To meet our goal through race-neutral measures, we will ensure that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.

Through our active implementation of these elements we hope to foster small business participation along with providing additional good faith efforts toward our DBE program and goal.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.41 Statutory 10 Percent DBE Goal

The statutes authorizing this program provide that not less than 10 percent of the authorized funds are to be expended with DBEs. This goal is an aspirational goal, at the national level, which is used as a tool in evaluating and monitoring DBEs' opportunities to participate in DOT-assisted contracts. The national 10 percent goal does not authorize or require recipients to set overall or contract goals at the 10 percent level, or any other particular level, or to take any special administrative steps if their goals are above or below 10 percent.

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Section 26.43 Set-asides or Quotas

The SRA does not use quotas or set-asides in any way in the administration of this DBE program.

Section 26.45 Overall Goals

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 4 to this program. This section of the program will be updated every three years.

In accordance with Section 26.45(f) the SRA will submit its overall goal to DOT on August 1 of the upcoming project year. Before establishing the overall goal of the project, the SRA will consult with the City of Springfield, Office of Small Business Administration, area chamber of commerce, and other various affiliates of the City of Springfield to assist and comment on the program and its outreach goals. SRA will also be able to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the SRA's efforts to establish a level playing field for the participation of DBEs. Interested parties can visit the SRA's website to obtain insight to the consultation, concerns of regional business and an overall recap of the event and attendees.

Based on the update in regulations, the SRA's goal will be set for a three year period/project duration (Union Station Regional Intermodal Transportation Center). The SRA will only adjust its goal, during this three year time period, if there is a substantial adjustment on the projects funding. In addition to the initial programs consultation session, the SRA will publish a public notice in the Springfield Republican and will provide notice on the SRA's website - (www.springfield-ma.gov/planning/sra.html).

Information on its proposed overall goal, including the rationale for establishing the goal, will also be available for inspection during normal business hours at Springfield Redevelopment Authority offices at 70 Tapley Street, Springfield, MA 01104, for a period of 30 days, following the date of the public notice informing the public that the SRA and DOT will accept comments on the goals for 45 days from the date of the notice. The SRA will issue a notice by June 1 of each DBE program year. The notice will include a means for which comments may be sent and the location of where the proposal may be reviewed.

The SRA will begin using its overall goal on October 1st of each program year, unless otherwise instructed by DOT. Since the SRA is establishing a goal on a project basis it will begin using the goal prior to its first solicitation for a DOT-assisted contract.

Section 26.47 Failure to Meet Overall Goal

The SRA intends to support this program and document its good faith efforts in achieving these goals. If the SRA does not meet the goal set in this plan, the SRA will not be in noncompliance

and be penalized for the short fall of the overall goal. The SRA will only be penalized for the failure to administer the program with good faith.

Pertaining to the Uniform Report, if the overall goal is less than what was committed; the SRA will document to the FTA the reasoning for the difference between the overall goal set and the awards and commitments made along with a full explanation on how to correct the problems in order to meet the goal for the next year. The only time FTA will find the SRA in noncompliance is if the analysis and corrective actions are not submitted in a timely manner, if the documentation is disapproved by FTA and if the corrective actions are not fully implemented. If the reports state that current trends make it unlikely to achieve DBE awards and commitments based on approved plan, then the SRA will formally modify the race conscious and race-neutral sections of the report to achieve their stated goal.

Section 26.51(a-c) Breakout of Estimated Race-Neutral and Race-Conscious Participation

The SRA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The SRA estimates that, in meeting its overall goal of 2.8-percent it will achieve 100-percent from race-neutral participation, due to the fact that it is a first time recipient of DOT funding and does not have the historical detail to back up any other means. Through the progress on the process and implementation of its DBE Program, the SRA will update this section annually (if applicable) based on any adjustments to its overall goal and the outcome of the program, which is driven for 100% race neutral participation.

The SRA will adjust the estimate breakout of race-neutral and race-conscious participating, as needed, to reflect actual DBE participation (see 26.51(f)) and it will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

In order to ensure that the SRA's DBE program will be narrowly tailored to overcome the effects of discrimination and to emphasize SRA's aspirational goal of race neutrality, the SRA will perform the below activities designed to ensure that DBEs have the maximum opportunity to participate in contracts and increase DBE participation on SRA contracts:

1. Inform and communicate to DBEs and small businesses the contracting procedures and specific contracting opportunities by planning and participating in business development training seminars and community outreach activities for the purpose of informing potential contractors of available business opportunities. These seminars and outreach

activities will assist businesses in also achieving certification and becoming more aware of the benefits of such programs. This effort will be of great benefit to the region of Western Massachusetts by increasing the presence of DBEs.

2. Maintain a current Massachusetts UCP DBE Directory as a source of identifying all DBEs currently certified by the Massachusetts Supplier Diversity Office, and make available copies of the directory to prospective contractors desiring contract information for projects. In addition the SRA will encourage prime contractors to subcontract portions of work that they might otherwise perform with their own forces to maximize the opportunity for DBEs.
3. E-mail copies of contract notices to those firms listed in the Massachusetts UCP DBE directory, along with utilizing of the SRA's website for information regarding all bid opportunities, documentation for bid submission, and other helpful links.
4. Assist in identifying problems confronting DBEs and small businesses in performing contracts and work diligently to arrive at an acceptable solution along with providing technical assistance.
5. Facilitate the receipt of timely progress payments to DBEs for work completed, following such request for payment.
6. Encourage DBE attendance at pre-bid/pre-proposal meetings. Provide assistance to DBEs and small businesses during the solicitation or bid period for any project, and assist with explanation of documentation. The SRA will arrange solicitation times for presentation of bids and pre-bid meetings that facilitated DBEs and other small firms' participation.
7. Provide assistance, to the extent possible, in obtaining bonding, financing and insurance which will enable DBEs to participate in SRA contracting activities.
8. Maintain a system of record and reports documenting:
 - a. Specific efforts made to identify and award contracts to DBEs; and
 - b. Specific awards made to DBEs

Since the approved projection under paragraph (c) of this section estimates that the SRA will meet their entire overall goal through race-neutral means, we will implement our program without setting contract goals; unless it becomes necessary in order to meet our overall goal. This will be determined within the first year of the SRA's program implementation.

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Contract Goals

The SRA will use contract goals to meet any portion of the overall goal the SRA does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the overall goal that is not projected to be met through the use of race-neutral means.

The SRA will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. The SRA is not required to establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g. type and location of work, availability of DBEs to perform the particular type of work).

The SRA will express its contract goals in all applicable bid documents. When applicable, the following language will be including in SRA's bid documents.

The requirements of 49 CFR Part 26, Regulations of the U.S Department of Transportation, apply to this contract. It is the policy of the SRA to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of _____% has been established for this contract. The bidder/offeror shall make good faith efforts, as demonstrated in Appendix 6, 49 CFR Part 26 to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: 1) the names and addresses of DBE firms that will participate in the contract; 2) a description of the work that each DBE firm will perform; 3) the dollar amount of the participation of each DBE firm; 4) Written documentation of the bidders/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; 5) Written confirmation from the DBE that is participating in the contract as provided in the commitment made under 4) & 5) if the contract goal is not met, evidence of good faith efforts.

The SRA will express its contract goals as a percentage the Federal share of a DOT-assisted contract.

Section 26.53

Good Faith Efforts Procedures

Demonstration of good faith efforts (26.53(a)&(c))

The obligation of a bidder/offeror is to make good faith efforts to meet DBE participation goals. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or

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documenting good faith efforts to meet the goal. Examples of good faith efforts are found in Appendix 6, of 49 CFR Part 26.

The following personnel is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive: Amanda Goncalves: SRA Finance & Compliance Officer.

The SRA will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before it commits to the performance of the contract by the bidder/offeror.

Information to be submitted (26.53(b))

The SRA treats bidder/offerors' compliance with good faith efforts' requirements as a matter of responsiveness.

Each contract for which a contract goal has been established will require the bidders/offerors to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts

Administrative Reconsideration (26.53(d))

Within 7 days of being informed by the SRA that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/Offeror should make this request in writing to the following Reconsideration Official:

Christopher Moskal, SRA Executive Officer
70 Tapley Street
Springfield, MA 01104

The Reconsideration Official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

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As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with SRA's Reconsideration Official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. The SRA will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the DOT.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f)):

Replacement of a DBE contractor

In the event that a DBE contractor must be replaced, the SRA will require prime contractors to notify the DBE, in writing, of the intent to terminate allowing for five days of response time in opposition of the rejection. The prime contractor needs authority from the SRA in order to terminate the DBE subcontractor. At this point, the contractor will support their decision and make good faith efforts to replace a DBE contractor with another certified DBE.

Situations in which a DBE may be replaced include, but are not limited to, the following:

- The DBE fails or refuses to execute a written contract
- The DBE fails or refuses to perform the work consistent with normal industry standards
- The DBE fails or refuses to meet the prime contractor's nondiscriminatory bond requirements
- The DBE becomes bankrupt or has credit unworthiness
- The DBE is ineligible to work because of suspension and debarment
- It has been determined that the DBE is not a responsible contractor
- The DBE voluntarily withdraws, with written notification, from the contract.
- The DBE is ineligible to receive credit for the type of work required
- The DBE owner dies or becomes disabled resulting in the inability to perform the work on the contract
- Or other documented compelling reasons.

Notice of Substitution

The SRA shall require the prime contractor to notify the DBELO immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

The SRA shall require the prime contractor to notify the SRA when the need for substitution arises and to submit a request for substitution, prior to the DBE subcontractors' termination. Such a request must be in writing and include a description and justification for the substitution and a new Schedule of Work and Subcontractor/Supplier Form.

49 CFR Part 26

Approval of Substitution

The SRA shall require the prime contractor to obtain prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts to obtain a DBE replacement contractor. The Contractor shall submit a written request for administrative approval of the substitution prior to making a change in the contract. The prime contractor's good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the terminated DBE.

Failure to Comply

If the contractor fails or refuses to comply in the time specified, the SRA will issue an order stopping all or part of payment and/or work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination of default proceeding.

Section 26.55 Counting DBE Participation

The SRA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. DBE credit will only be awarded for all services performed and rendered by the DBE's themselves.

SUBPART D– CERTIFICATION STANDARDS

Section 26.61-26.73 Certification Process

The SRA will utilize the Massachusetts UCP DBE directory and will require every DBE participant to submit proof current certification. The SRA will not certify firms but will be a direct point of contact with regard to any questions or concerns they may have about getting certified.

For information about certification process or to apply for certification, firms should contact the Supplier Diversity Office (formerly known as SOMWBA) at:

The McCormack Building
One Ashburton Place, 13th Floor
Boston, MA 02108
Phone- (617) 502-8831
Fax- (617) 502-8841
Email – wsomwba@state.ma.us

SUBPART E– CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

Massachusetts UCP Certification will occur through the Massachusetts Supplier Diversity Office. The DBELO will encourage and assist in the facilitation of firms trying to get certified and will act as the mediator with respect to directing small businesses toward achieving certifications and expressing the opportunities that come from it.

SUBPART F- COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

The SRA will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with applicable Federal, state, and local laws.

Notwithstanding any contrary provisions of state or local law, the SRA will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without written consent of the submitter.

Monitoring Payments to DBEs

The SRA will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the SRA or DOT. This reporting requirement also extends to any certified DBE subcontractor.

The SRA will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

Commercial Useful Functions

During performance of contracts, monitoring is conducted by various on-site project staff in conjunction with the Compliance Officer to ensure:

1. The type of work and the value of work performed is consistent with work stated in the "Schedule of Participation"
2. The DBE is performing a "commercially useful function" by actually performing, managing, and supervising the work with its own workforce

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3. The equipment utilization is either owned or leased by the DBE

The monitoring forms along with the Commercially Useful Function (CUF) monitoring report will be utilized to serve as written certification by the SRA that contracting records have been reviewed and work monitored relative to distinct elements of each DBE subcontract.

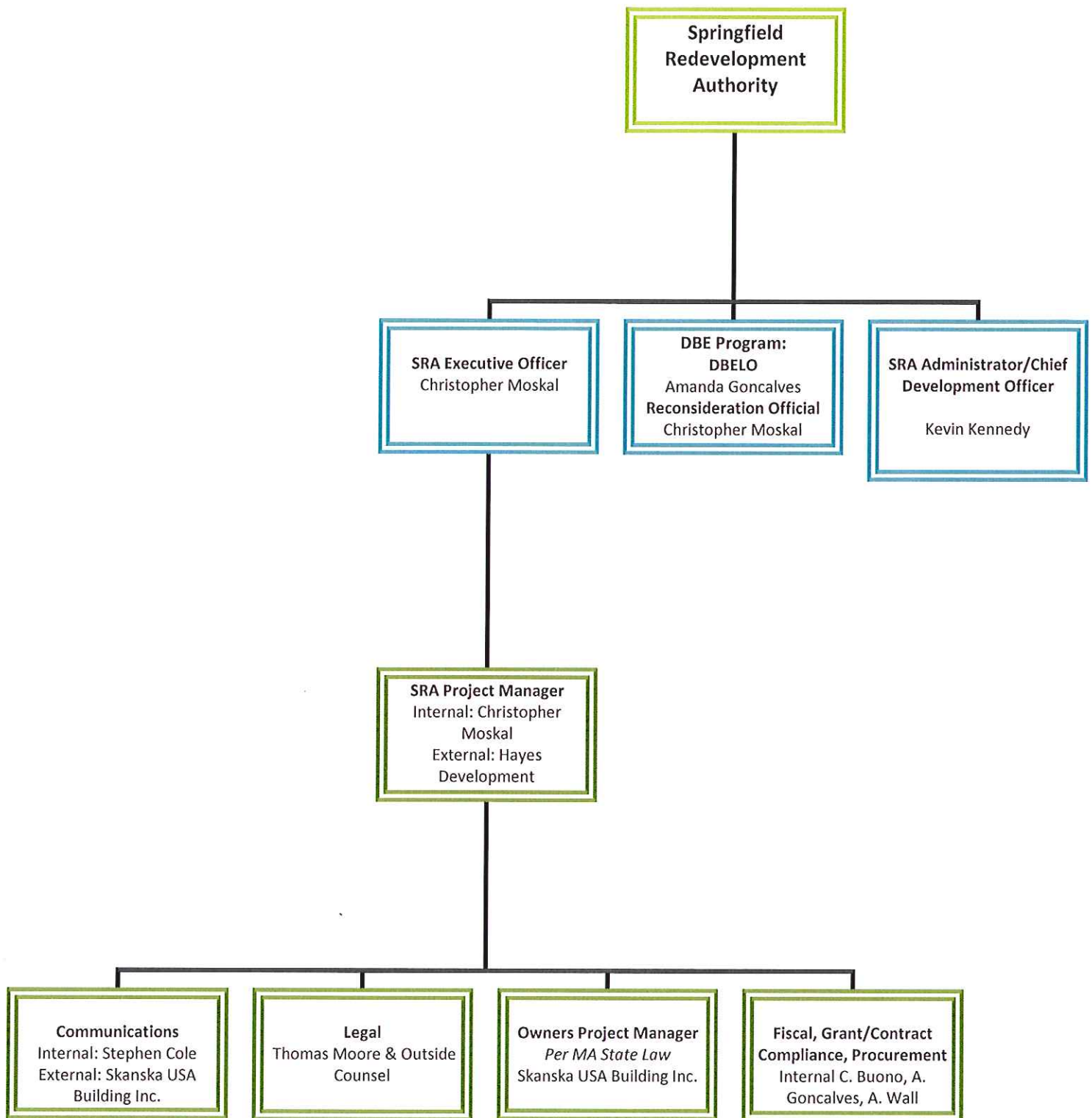
Enforcement Protocols

Where a contractor is found to have operated in a manner that is inconsistent with the requirements of 49 CFR par 26.55, as set forth in the DBE Special Provisions, the SRA will take immediate action to ensure that any actual or projected goal shortfall resulting is addressed. Depending on the severity of the matter, the Contractor or contractor(s) involved will be advised in writing of the violation. Contractors that have demonstrated a pattern of violating the requirements set forth in the DBE Special Provisions. If the inconsistent actions are fraudulent, deceitful, or false representation of work performed the SRA will consider the actions and indications of this serious lack of business integrity and report them to the SRA Executive Officer along with the SDO for potential debarment and suspension proceedings.

ATTACHMENTS

Attachment 1	Organizational Chart
Attachment 2	DBE Directory Form: Bidders Registration
Attachment 3	Monitoring and Enforcement Mechanisms Form: DBE Monitoring Report
Attachment 4	Overall Goal Calculations
Attachment 5	Breakout of Estimated Race-Neutral & Race-Conscious Participation
Attachment 6	Form 1& 2 for Demonstration of Good Faith Efforts
Attachment 7	Certification Application Forms
Attachment 8	Procedures for Removal of DBEs Eligibility
Attachment 9	Regulations: 49 CFR Part 26

Attachment #1
Organizational Chart



Attachment # 2

DBE Directory

For a complete directory of DBEs please contact the SRA's DBE Liaison Officer at:
agoncalves@springfieldcityhall.com

Below is the Bidders Registration form that the Springfield Redevelopment Authority will utilize to obtain all the necessary information to maintain a directory of all firms bidding on DOT assisted contracts.

Attachment # 3

Monitoring and Enforcement Mechanisms

The SRA has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract as well as Massachusetts statutes and common laws
2. Breach of contract action, pursuant to state statute and common law

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including but not limited to the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

The SRA will utilize its Owners Project Manager, CM and various internal project staff to conduct both informal and formal on-site inspections and review of payments made by prime contractors to subcontractors. The SRA believes that if its presence is felt at all levels of the projects activities and the above action is taken, businesses will be deterred from fraudulent activities. These inspections/reviews will be periodically submitted by participants throughout the projects duration and used to substantiate payments to DBE firms (See below Form: DBE Monitoring Report). There will also be a written certification that the contracting records and monitored work sites have been reviewed, by the DBE Liaison officer and project manager. This certification will accompany the appropriate contract close-out documentation.

SPRINGFIELD REDEVELOPMENT AUTHORITY

DBE- MONITORING REPORT

Project: Union Station Regional Intermodal Transportation Center

DBE Company: _____

First date DBE was on-site: _____

Name/Title of DBE on-site representative: _____

According to on-site representative, DBE is performing as a:	
<input type="checkbox"/> Prime Contractor	<input type="checkbox"/> Subcontractor <input type="checkbox"/> Joint Venture <input type="checkbox"/> Broker
Is the on-site representative on file with DBE office as a key employee normally employed with DBE to perform field supervision? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If you have checked yes, do so immediately through your regional contract compliance officer	
Does the Prime issue two-party checks to this DBE? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If so, are they issued <input type="checkbox"/> routinely <input type="checkbox"/> only occasionally	
Does the DBE employ any individual that has worked for the Prime in the last year? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, does this person have any supervisory authority? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Who prepares the DBE's certified payroll (name & location)?	
If not a subcontract situation, is there a DBE purchase order or service agreement involved? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, is a copy in the project file? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, get one.	
Does the DBE rent or lease any equipment on this project? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, fill out the DBE Equipment Lease/Rent Report below and notify your regional contract compliance officer.	

Equipment:	Rent	Lease	From Whom:
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

Print/Sign_____
Date:

Attachment # 4

Overall Goal Calculation

Amount of Goal

1. The SRA's overall goal for the following time period 2012-2014 is the following:
2.8 percent of the Federal financial assistance it will expend in DOT-assisted contracts.
2. The anticipated total dollar amount of DOT-assisted contracts that the SRA expects to award for the Union Station Regional Intermodal Transportation Center project is \$83,000,000. This means that SRA has set a goal of expending \$2,324,000. with DBEs during this project.

Methodology Used to Calculate Overall Goal

Step 1: 26.45 (c)

Determine the base figure for the relative availability of DBEs.

The base figure for the relative availability of DBE's was calculated as follows:

$$\text{Base Figure} = \frac{970 = \text{Ready, willing, and able DBEs}}{33,726 = \text{All firms ready, willing and able}}$$

The data source or demonstrable evidence used to derive the numerator was:

The current federally funded project is projected to take three years to complete and involves the full spectrum of scope (from design through construction- by NAICS code) for the redevelopment of the Union Station Regional Intermodal Transportation Center. All DBEs researched were from the Massachusetts UCP DBE Directory in order to achieve and maintain full and open competition with regard to this historical project.

The Massachusetts Supplier Diversity Office through its UCP maintains a listing of certified DBEs that can be found at:

<http://www.somwba.state.ma.us/BusinessDirectory/BusinessDirectoryList.aspx>.

From this list, SRA staff was able to identify all related NAICS codes applicable to the Union Station Regional Intermodal Transportation Center project, and the related DBEs that exist in the area to perform the services needed to complete the project.

49 CFR Part 26

The data source or demonstrable evidence used to derive the denominator was:

In order to determine the number of firms ready, willing, and able to perform all necessary services needed for the Union Station project, SRA staff used statistics compiled by the U.S Census Bureau in the report entitled "2009 County Business Patterns". Using data specific to the NAICS codes targeted by this project, the SRA was able to determine that there were over 33,000 DBE and non DBE firms in Massachusetts that could perform services for the Union Station Intermodal Transportation Center.

Below is a breakdown by NAICS categories of the areas of services anticipated for the Union Station project and the specific computations for each category relative to the number of DBEs:

	Total Establishments	Applicable Categories	% Utilization of Category	# of DBE's	% of Market
23 Construction	17,319	12,606	72.79%	409	3.2%
42 Wholesale Trade	8,352	2,400	28.74%	69	2.9%
Real Estate & Rental					
53 Lease	6,451	2,180	33.79%	11	0.5%
54 Professionals	21,350	13,412	62.82%	455	3.4%
Administrative/Support &					
56 Waste Mgmt	9,662	3,128	32.37%	26	0.8%
	63,134	33,726		970	2.8%
*Applicable Categories was determined through analysis of each subgroup within the NAICS category					

By dividing the numerator by the denominator, the SRA arrived at the base figure for the overall goal and that number was 2.8-percent.

Step 2: 26.45 (d)

After calculating a base figure of the relative availability of DBEs, there was no evidence that suggested an adjustment was needed to the base figure. Since SRA is a first time recipient of DOT funds, it has no historical data on which to base adjustments. However, the SRA believes it can achieve its goal based on the data of other regional programs and the efforts of their internal staff. The SRA is eager to assist in enhancement of DBE participation and is committed to this program and the implementation of efforts to ensure its success. For these reasons, the SRA has established a DBE participation goal of 2.8-percent.

Public Participation

The SRA will publish its goal information in the following media outlets: The Springfield Republican, public bulletin board at Springfield City Hall, notification of area chambers and the Small Business Administration, and on the SRA's public website.

49 CFR Part 26

The SRA held a Consultation Session on August 11, 2011 for which the DBE Liaison Officer presented the attendees with a presentation of SRA's FY12-14 DBE Goal and program. This detailed the SRA's implementation of these federal regulations along with upcoming procurement opportunities. In addition to this presentation was an information session presented by two SDO representatives from Boston, MA. They focused on the steps toward obtaining state/federal certification as well as answering questions the participants had. The attendees were a mixture of local disadvantaged business (certified & uncertified), and local area organizations.

Prior to the start of our presentation, we asked all participants what they felt were obstacles that disadvantaged business in our region had to overcome.

Below are just some of the concerns that arose during the consultation session:

- Lack of outreach to disadvantaged businesses
- The benefits of obtaining such certifications
- Lack of training programs in the western portion of the state
- Assistance with the technical and financial capability in order to participate in large projects

All participants were enthusiastic about our efforts and support. They are eager to begin the certification process and work with us in embracing these new regulations.

The SRA will work closely with local area organizations in coordinating our goals to increase the presence of certified firms and training programs in Western Mass. SRA plans to coordinate multiple training sessions, with the aid of area organizations and MA SDO representatives to educate small businesses on various subjects pertaining to growth and complexity of projects/procurements.

To date, the SRA has not received any comments on its DBE program.

The SRA continues to research additional outreach opportunities to encourage DBE participation and intends to update this section as those efforts advance. The SRA is extremely dedicated to this program and is eager to enhance DBE participation in the region. As a public redevelopment agency, the SRA is committed to the utilization of disadvantaged (DBE), women (WBE) and minority (MBE) business enterprises and encourages increased business opportunities to ensure equitable distribution of contracting opportunities to these sectors.

Attachment # 5

Breakout of Estimated Race-Neutral & Race Conscious Participation

The SRA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The following are just a few of the ways the SRA will increase DBE participation through race-neutral means:

1. Inform and communicate to DBEs the contracting procedures and specific contracting opportunities by planning and participating in business development training seminars and community outreach activities for the purpose of informing potential contractors of available business opportunities. These seminars will assist businesses in also achieving certification and becoming more aware of the benefits of such programs. This will be a great benefit to the region of Western Massachusetts by increasing the presence of DBEs.
2. Maintaining a current Massachusetts Supplier Diversity Office UCP DBE Directory as a source of identifying all DBEs certified by the MA UCP, and make available copies of the directory to prospective contractors desiring contract information for projects. In addition the SRA will encourage prime contractors to subcontract portions of work that they might otherwise perform with their own forces to maximize the opportunity for DBEs.
3. E-mail copies of contract notices to those firms listed in the MA UCP DBE directory, along with utilizing of the SRA's website for information regarding all bid opportunities, documentation for bid submission, and other helpful links.
4. Assist in identifying problems confronting DBEs in performing contracts and work diligently to arrive at an acceptable solution along with providing technical assistance.
5. Facilitate the receipt of timely progress payments to DBEs for work completed, following such request for payment.
6. Encourage DBE attendance at pre-bid/pre-proposal meetings. Provide assistance to DBEs during the solicitation or bid period for any project, and assist with explanation of documentation. The SRA will arrange solicitation times for presentation of bids and pre-bid meetings that facilitated DBEs and other small firms' participation.
7. Provide assistance, to the extent possible, in obtaining bonding, financing and insurance which will enable DBEs to participate in SRA contracting activities.

49 CFR Part 26

8. Maintain a system of record and reports documenting:
 - c. Specific efforts made to identify and award contracts to DBEs; and
 - d. Specific awards made to DBEs

SRA estimates that, in meeting the overall goal of 2.8%, 100% will be from race-neutral participation and 0% through race-conscious efforts.

The SRA is driven to enhance DBEs and other small businesses in their long-term success with development and expansion. Since the SRA is a first time recipient of FTA funds, it will utilize the federal regulations and its drive and emphasize of this program to steer the SRA to its program goal. After collecting some historic DBE participation data, through the Union Station Intermodal Transportation Center, the SRA will re-visit the programs outcomes and achievements and make the necessary adjustments to its race neutral and race-conscious participation goal. SRA is eager to sustain this program and culture of diversity throughout the redevelopment authority's future.

For reporting purposes, race- neutral DBE participation includes, but is not necessarily limited to, the following:

- DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures
- DBE participation through a subcontract on a prime contract that does not carry DBE goal
- DBE participation on a prime contract exceeding a contract goal
- DBE participation through a subcontract from a prime contractor that did not consider a firms DBE status in making the award

SRA will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

Attachment # 6

Form 1 and 2 for Demonstration of Good Faith Efforts

[Forms 1 and 2 should be provided as part of the solicitation documentation.]

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

_____ The bidder/offeror is committed to a minimum of ____ percent DBE utilization on this contract.

_____ The bidder/offeror (if unable to meet the DBE goal of 2.8-percent DBE Utilization) is committed to a minimum of ____ % DBE utilization on his contract and submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: _____

State Registration No. _____

By: _____
(Signature) (Title)

**SPRINGFIELD REDEVELOPMENT AUTHORITY
DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION**

Form 2: Letter of Intent

(To be supplied if using DBE sub-contractors)

LETTER OF INTENT

To: _____ (Name of Prime Offeror)

The undersigned intends to perform work in connection with this project as (check one):

☐ an individual ☐ DBE ☐ a partnership ☐ a joint venture

The Disadvantaged Business status of the undersigned is confirmed

(a) on the most recent reference list of Disadvantaged Business Enterprises published by
Massachusetts Supplier Diversity Office dated _____, or

(b) on the attached Disadvantaged Business Enterprise Identification Statement

The undersigned is prepared to perform the following work in connection with the above
project, (Specify in detail particular work items or parts thereof to be performed):

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described
above. The estimated dollar of this work is

\$ _____.

You have projected the following commencement date for such work, and the undersigned is
projecting completion of such work as follows:

<u>Items</u>	<u>Projected Commencement Date</u>	<u>Projected Completion Date</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The above work will not be sublet to a non-Disadvantaged Business Enterprise at any tier. The
undersigned will enter into a formal agreement for the above work conditioned upon an
execution of a contract with SRA.

Date _____

Name of Disadvantaged Business Enterprise

Attachment # 7

Certification Application Forms

Certification will occur under the state of Massachusetts UCP.

The SRA does not have the internal capacity to certify prospective firms but will provide outreach and technical assistance to disadvantaged businesses seeking to achieve DBE certification.

Attachment # 8

Procedures for Removal of DBEs Eligibility

The SRA will rely on the Massachusetts Supplier Diversity Office and will not have an independent methodology for removing DBEs from Massachusetts UCP eligibility. If there is an instance of fraudulent activities, the SRA will notify the Supplier Diversity Office to report the incident.

Attachment # 9

Regulations: 49 CFR Part 26

Please refer to the SRA's website for a complete 49 CFR Part 26- Participation by Disadvantaged Business Enterprise in Department of Transportation Financial Assistance Programs.
(www.springfield-ma.gov/planning/sra.html)